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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shuwu Wu et al.
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Title : VOICE INSTANT MESSAGING

Art Unit : 2645
Examiner : Nguyen, Trong Nhan P.

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Commissioner for Patents
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REPLY TO ACTION OF DECEMBER 2, 2005

Claims 1-25, 37-39 and 41-44 are under consideration, with claims 1, 21, 22 and 44 being independent. Claims 27-36 have been withdrawn.

Independent claims 1, 21, 22 and 44, and their dependent claims (i.e., claims 2-20, 23-25, 37-39 and 41-43) have been rejected as being anticipated by Cook (U.S. Patent No. 6,879,665). Applicants respectfully traverse this rejection.

Independent claims 1, 21 and 22, as amended, each recite, among other features, “establishing a text *instant messaging* communication session between a sender and a recipient” (emphasis added), “facilitating a text *instant message* to be sent from the sender to the recipient” (emphasis added), “enabling presentation of a first text *instant messaging* graphical user interface to the recipient” (emphasis added), and “enabling manipulation by the recipient ... to invoke voice communication between the sender and the recipient through the *instant messaging* host” (emphasis added).

As stated in MPEP §2131, “to anticipate a claim, the reference must teach every element of the claim.” In this case, Cook does not teach or suggest the instant messaging elements of the claims, and, therefore, applicants request reconsideration and withdrawal of the rejection of claims 1, 21 and 22, and their dependent claims.

Specifically, for instance, Cook describes an e-mail system that has been modified to support the communication of voice messages. As stated explicitly by Cook:

The present invention provides a method, apparatus, and instructions for an improved e-mail system that is customized for the particular type of content. Specifically, the mechanism of the present invention improves the user experience and effectiveness of sending messages containing different types of content through an e-mail system. ...